

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

BENJAMIN MOULTON,
Petitioner,

v.

MARY SABOL,
Respondent

:
:
:
:
: (JUDGE NEALON)
: (MAGISTRATE JUDGE BLEWITT)
:

CIVIL NO. 3:12-CV-0922

ORDER

NOW, this 3rd day of December, 2012, in accordance with the Memorandum issued this date, **IT IS HEREBY ORDERED THAT:**

1. The Report and Recommendation (Doc. 8) is **ADOPTED in part**;
2. The petition for writ of habeas corpus (Doc. 1) is **DISMISSED as moot**;
3. The Clerk of Court is directed to **CLOSE** this case; and
4. Any appeal will be deemed frivolous, lacking merit, and not taken in good faith.



United States District Judge

**FILED
SCRANTON**

DEC 03 2012

MARY E. D'ANDREA, CLERK
Per 
DEPUTY CLERK